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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/625,942
		Filing Date	July 24, 2003
		First Named Inventor	BANET
		Group Art Unit	3662
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission		Attorney Docket Number	0307091.0166

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Declaration of Mailing by Express Mail	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Combined Declaration and Power of Attorney	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	US Patent Application Publications 2003/0139179 & 2003/0130005
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	US Patent 6,580,916
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Stephen C. Glazier (Registration No. 31,361) Kirkpatrick & Lockhart LLP
Signature	
Date	6 July 04

CERTIFICATE OF MAILING

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

130

Complete if Known	
Application Number	10/625,942
Filing Date	July 24, 2003
First Named Inventor	BANET
Examiner Name	Not Yet Assigned
Art Unit	3662
Attorney Docket No.	0307091.0166

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Other None
Order

 Deposit Account:
Deposit
Account
Number

50-1721

Deposit
Account
Name

Kirkpatrick & Lockhart LLP

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1001	770	2001	365
1002	340	2002	170
1003	530	2003	265
1004	770	2004	385
1005	160	2005	80
SUBTOTAL (1)		(\$ 0)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20 **	= 0	X 18 = 0
Independent Claims	-3 **	= 0	X 86 = 0
Multiple Dependent		X	= 0

Large Entity	Small Entity	Fee Description
Fee Code	Fee (\$)	Fee Description
1202	18	2202 9 Claims in excess of 20
1201	86	2201 43 Independent claims in excess of 3
1203	290	2203 145 Multiple dependent claim, if not paid ** Reissue independent claims over original patent
1204	86	2204 43 ** Reissue claims in excess of 20 and over original patent
1205	18	2205 9
SUBTOTAL (2)		(\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051 65 SurchARGE - late filing fee or oath	
1052	50	2052 25 SurchARGE - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	420	2252 210 Extension for reply within second month	
1253	950	2253 475 Extension for reply within third month	
1254	1,480	2254 740 Extension for reply within fourth month	
1255	2,010	2255 1,005 Extension for reply within fifth month	
1401	330	2401 165 Notice of Appeal	
1402	330	2402 165 Filing a brief in support of an appeal	
1403	290	2403 145 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,330	2453 665 Petition to revive - unintentional	
1501	1,330	2501 665 Utility issue fee (or reissue)	
1502	480	2502 240 Design issue fee	
1503	640	2503 320 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	130
1807	50	1807 50 Processing fee under 37 CFR 1.17 (q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	770	2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810 385 For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801 385 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 130)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Stephen C. Glazier	Registration No. (Attorney/Agent)	31,361	Telephone	202 / 778-9045
Signature			6 July 04	Date	

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: BANET et al.

Group Art Unit: 3662

Application No.: 10/625,942

Examiner: Not yet assigned

Filed: July 24, 2003

Atty Dkt. No. 0307091.0166

Title: **WIRELESS VEHICLE-MONITORING SYSTEM OPERATING ON BOTH
TERRESTRIAL AND SATELLITE NETWORKS**

* * * * *

PETITION TO MAKE SPECIAL UNDER 37 CFR §1.102(d)

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

Applicant hereby petitions to make the above-identified U.S. patent application special pursuant to MPEP §708.02(VIII). Applicants have submitted herein a detailed discussion of the references, which discussion points out, with the particularity required by 37 C.F.R. §1.111(b) and (c), how the claimed subject matter is patentable over the references pursuant to MPEP §708.02(VIII).

If it is determined that the pending claims are not directed to a single invention, Applicants will make an election without traverse as required under MPEP §708.02(VIII)(B).

Applicants submit that a pre-examination search has been made by a professional searcher in Class 701, subclasses 1, 29-35 and 114, and Class 702, subclass 182. Additionally, a computer text search was conducted on the USPTO EAST system in an effort to locate relevant art outside the field of search listed above.

Enclosed herewith are copies of the following references which are deemed to be the most closely related to the subject matter encompassed by the present claims.

07/12/2004 YPOLITE1 0000009 10625942

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<u>U.S. Patent/Publication No.</u>	<u>Inventor(s)</u>
2003/0139179	Fuchs et al.
2003/0130005	Weisshaar et al.
6,580,916	Weisshaar et al.

DISCUSSION OF THE REFERENCES

U.S. Patent Application Publication 2003/0139179 (Fuchs et al.)

Fuchs et al. discloses an apparatus and method of integrating a personal communications system including a telematics device coupled to a vehicle, where the telematics device can exchange data with at least one vehicle system and where the telematics device includes a service providing entity. A remote device having a service requesting entity can access and exchange data with the telematics device utilizing the service requesting entity to interact with at least one vehicle system and utilize and exchange data with service providing entity. A selection is made between a first wireless network protocol and a second wireless network protocol in order to access the telematics device. (see abstract)

However, Fuchs et al. does not disclose or suggest a wireless appliance for monitoring a vehicle comprising *an internal battery that includes a solar cell*.

U.S. Patent Application Publication 2003/0130005 (Weisshaar et al.)

Weisshaar et al. discloses a method of selecting a communication interface to transmit data in a wireless communication network. The method comprises the steps of providing a plurality of communication interfaces in a wireless communication device; polling, by a first application, at least one communication interface of the plurality of communication interfaces to determine whether the at least one communication interface has become available; determining that the at least one communication interface of the plurality of communication interfaces has become available; and transmitting data associated with the first application on the at least one communication interface. (see abstract)

However, Weisshaar et al. does not disclose or suggest a wireless appliance for monitoring a vehicle comprising *an internal battery that includes a solar cell*.

U.S. Patent 6,580,916 (Weisshaar et al.)

Weisshaar et al. discloses an information appliance system including a user device. The user device comprises a client platform that includes a service framework to discover and connect with a variety of services, both remote and local, transient and persistent, and to disconnect from them when they are no longer of interest or become unavailable. The service framework provides a standard, consistent, simplified way for services to make themselves available and for service-using entities to locate and connect with the services of interest to them. The service framework comprises service event notification registries in which service-requesting entities register templates defining the types of services they want to locate and connect with. However, the service framework, rather than connecting with any service that matches a desired service type, can further control a remote service lookup operation in accordance with various transport characteristics in the template, such as signal strength, quantity of data to be transferred, range, available bandwidth, communications cost, service location, time of day, vehicular velocity, and so forth. This conserves the platform's memory and bandwidth resources by not connecting with services that would not satisfy a user's request or that would be unduly transitory. Methods of operating a service framework are described. (see abstract)

However, Weisshaar et al. does not disclose or suggest a wireless appliance for monitoring a vehicle comprising *an internal battery that includes a solar cell*.

THE PRESENT APPLICATION

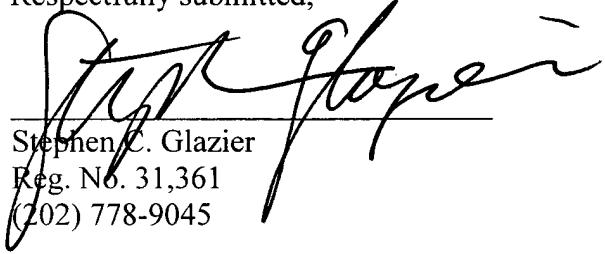
Embodiments of the present application relate to a wireless appliance for monitoring a vehicle. The wireless appliance includes a microprocessor configured to select a vehicle-communication protocol of a host vehicle, and then communicate with the host vehicle through the vehicle-communication protocol. The appliance also includes a vehicle-communication circuit, in electrical communication with the microprocessor, which collects diagnostic data from the host vehicle using the vehicle-communication protocol. A GPS module, also in electrical communication with the microprocessor, generates location-based data. For transmitting these data, the appliance includes a first wireless transmitter operating on a terrestrial network and a

second wireless transmitter operating on a satellite network. The microprocessor selects the first or second wireless transmitter for transmitting the diagnostic and location-based data.

For example, claim 15 claims a wireless appliance for monitoring a vehicle comprising *an internal battery that includes a solar cell*. As discussed above, Fuchs et al., Weisshaar et al. and Weisshaar et al. fail to disclose or suggest one or more elements as claimed in claim 15.

Therefore, the present application claims subject matter which is not disclosed, taught or suggested by the foregoing references and is patentable in light thereof. Accordingly, granting of the Petition to Make Special and expedited examination of the claims in the present application are earnestly solicited.

Respectfully submitted,


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Date: 6 July 04

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